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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT TACOMA

7 JEREMY RYAN TIESKOTTER,

8 Petitioner,

9 v.

10 STATE OF WASHINGTON,

11 Respondent.

No. C11-5525 BHS/KLS

ORDER DIRECTING SUBSTITUTION OF
PARTY

12 Mr. Tieskotter has filed a petition for writ of habeas corpus naming the State of
13 Washington as Respondent. ECF No. 1. The proper respondent to a habeas petition is the
14 “person who has custody over [the petitioner].” 28 U.S.C. § 2242; see also § 2243; *Brittingham*
15 *v. United States*, 982 F.2d 378 (9th Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir.
16 1989). According to his petition, Mr. Tieskotter is currently confined at the Washington State
17 Penitentiary in Walla Walla, Washington. The Superintendent of the Washington State
18 Penitentiary is Stephen D. Sinclair.

19 Accordingly, the Clerk of Court is directed to substitute Stephen D. Sinclair as the
20 Respondent in this action. The Clerk shall send copies of this Order to Petitioner and counsel
21 for Respondent.

22 DATED this 19th day of July, 2011.

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25 Karen L. Strombom
26 United States Magistrate Judge